

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 304 of 1991

For Approval and Signature:

Hon'ble MR.JUSTICE M.R.CALLA Sd/-

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?  
Nos 1 to 5 No

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PATEL R HARIBHAI

Versus

STATE OF GUJARAT

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Appearance:

NO ONE APPEARS FOR PETITIONERS.

MR.VB GARANIA, AGP for Respondents No.1 and 2.

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CORAM : MR.JUSTICE M.R.CALLA

Date of decision: 19/12/97

ORAL JUDGEMENT

No one appears for the petitioners.  
Mr.V.B.Garania appears for respondents no.1 and 2. The matter is on Board since 11.12.1997. Yesterday when the matter was called out it was noticed that this matter was to be heard with Special Civil Application No. 1200 of 1981 in terms of the ordersheet dated 19.1.1991. It was therefore ordered that it may be listed alongwith Special

Civil Application No. 1200 of 1981. Records of Special Civil Application No. 1200 of 1981 show that Special Civil Application No. 1200 of 1981 was dismissed for default of appearance way back on 30.1.1992 and it remains so dismissed. Mr.V.B.Garania, learned Assistant Government Pleader is present. The petitioner has sought quashing and setting aside the action of the respondents in not considering him eligible for the purpose of appointment as teachers because he had passed D.PEd. course from Mahavidyalaya, Amrawati, Maharashtra State. The petitioner has also sought direction that his case be considered for the purpose of appointment as teacher by virute of the certificate of C.PEd course.

It appears that either the petitioners have got relief out of the Court or they have lost interest in this litigation and therefore no body has cared to appear and no steps have been taken even in the identical petition being Special Civil Application No.1200 of 1981 which was dismissed for default way back on 30.1.1992.

This Special Civil Application is therefore dismissed in default. Rule is hereby discharged. No order as to costs.

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m.m.bhatt